

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Conserve Energy in Residential Leasehold Tenancies

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 14 MRSA §6021, sub-§6-A is enacted to read:

6-A. Agreement regarding provision of heat. A landlord and tenant under a lease or a tenancy at will may enter into an agreement for the landlord to provide heat at less than 68 degrees Fahrenheit. The agreement must:

- A. Be in a separate written document, apart from the lease, be set forth in a clear and conspicuous format, readable in plain English and in at least 12-point type, and be signed by both parties to the agreement;
- B. State that the agreement is revocable by either party upon reasonable notice under the circumstances;
- C. Specifically set a minimum temperature for heat, which may not be less than 62 degrees Fahrenheit; and
- D. Set forth a stated reduction in rent that must be fair and reasonable under the circumstances.

An agreement under this subsection may not be entered into or maintained if a person over 65 years of age or under 5 years of age resides on the premises. A landlord is not responsible if a tenant who controls the temperature on the premises reduces the heat to an amount less than 68 degrees Fahrenheit as long as the landlord complies with subsection 6, paragraph B or if the tenant fails to inform the landlord that a person over 65 years of age or under 5 years of age resides on the premises.

Effective September 12, 2009